



**Town of Arlington, Massachusetts**  
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## **Zoning Board of Appeals Minutes 11/09/2010**

November 9, 2010  
Approved Minutes

Members in Attendance:

Joseph Tulimieri, Chairman  
Suzanne Rivitz, AIA  
Pamela Heidell

Docket No. 3412, Justin P. Chillemi of Arlington, Massachusetts is seeking a Special Permit for a Change of Use on a dwelling located at 39 Dudley Street, Section 5.04, Paragraph 6.03 (An automobile repair garage in an industrial zone) and a Special Permit under Section 10.11 (Special Permits) of the Zoning Bylaw for the Town of Arlington. After Q & A from the board the public was asked for their input. Christopher Loretto, the Chairman of ARB, was present and indicated he was appearing as a citizen and Town Meeting member. He did not address the merits of the petition. At the close of the hearing, the Board voted unanimously to grant the applicant's request with the following conditions:

1. The hours of operation shall be 7:00 a.m. to 8:00 p.m.
2. Automobile spray painting and body work is prohibited
3. Storage of abandoned or unlicensed motor vehicles is prohibited
4. The building shall be properly ventilated at all times
5. The building shall be properly insulated to minimize noise

Docket No. 3415 – 57 Edmund Road - Request for a Variance and Special Permit to construct an addition on their property to the dwelling located at 57 Edmund Road. Ms. Martha Penzenik presented for the petitioner. There was no opposition from those in attendance and after Q & A with the Board, the petitioner asked that the request for a variance be dropped. The request was granted. The board then took a vote on granting the Special Permit and it was granted with the following conditions:

1. The petitioner is to resubmit a new set of plans reflecting the withdrawal of the Variance request
2. Storm water mitigation plans shall be submitted to the Town Engineer for approval

Docket No. 3416 – 202 Massachusetts Avenue - Request for a Special Permit for additional signage (a bracket sign) to be attached to the Lake Street side of their restaurant located at 202 Massachusetts Avenue.

Representatives for the restaurant presented to the board. There was no opposition from those in attendance and after Q & A with the Board, the request was granted. The board then took a vote on granting the Special Permit and it was granted with the following conditions:

1. The bracket sign to be option 2 as submitted by the petitioner and all construction to be in accordance with the submitted plans and located on the Lake Street frontage and identified by the petitioner at the hearing
2. The hours of construction shall be in accordance with applicable regulations
3. The rights granted herein shall be exercised within one (1) year of the date of this decision